



General Assembly

Amendment

January Session, 2009

LCO No. 9192

SB0036209192SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. FASANO, 34th Dist.

SEN. RORABACK, 30th Dist.

To: Subst. Senate Bill No. 362

File No. 78

Cal. No. 141

"AN ACT CONCERNING EQUAL PAY FOR EQUAL WORK."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) Any member of the
4 Senate may submit a complaint, under penalty of false statement,
5 concerning alleged misconduct by a member of the Senate to the
6 president pro tempore of the Senate and the minority leader of the
7 Senate. Not later than seven days after receipt of such a complaint, the
8 president pro tempore of the Senate shall appoint a bipartisan
9 committee on ethics that shall consist of six members, three of whom
10 shall be appointed with the concurrence of the minority leader of the
11 Senate. The president pro tempore of the Senate shall appoint two
12 cochairpersons of the committee, one of whom shall be appointed
13 upon the recommendation of the minority leader of the Senate.

14 (b) Said committee shall have cognizance of any official Senate

15 action in response to any such complaint of misconduct by any
16 member of the Senate. As used in this section, "misconduct" means any
17 violation of state or federal election laws, any violation of the state
18 codes of ethics, any legal or ethical wrong or other conduct that
19 materially impairs the ability of the member to perform the duties of
20 his or her office or undermines public trust and confidence in the
21 Senate. Nothing in this section shall be construed to affect the powers
22 and duties of the Office of State Ethics or the Citizen's Ethics Advisory
23 Board.

24 (c) A quorum, consisting of not less than two members of each
25 caucus, shall be required to conduct any official business of the
26 committee. All committee decisions shall require four affirmative
27 votes.

28 (d) In the event that a complaint concerns alleged misconduct by the
29 president pro tempore of the Senate, the duties of the president pro
30 tempore under this section shall become the duties of the majority
31 leader of the Senate. If such complaint concerns alleged misconduct of
32 the minority leader of the Senate, the duties of the minority leader of
33 the Senate under this section shall become the duties of the minority
34 leader pro tempore of the Senate.

35 (e) The committee shall conduct a preliminary investigation into any
36 such complaint of misconduct by any member of the Senate. Any such
37 preliminary investigation of a complaint shall be confidential and not
38 subject to disclosure. Upon the conclusion of any preliminary
39 investigation, the committee shall vote to either (1) dismiss the
40 complaint, or (2) make a finding of probable cause that misconduct has
41 occurred. Upon a finding of probable cause by the committee, all
42 information relating to the preliminary investigation shall, to the
43 extent allowed by state and federal law, be made available to the
44 public.

45 (f) The committee shall undertake a full investigation only after a
46 finding of probable cause. All information relating to a full

47 investigation shall, to the extent allowed by state and federal law, be
48 made available to the public. All proceedings relating to a full
49 investigation shall be open to the public. Upon the completion of a full
50 investigation, the committee shall report its findings and
51 recommendation in the form of a resolution to be voted upon by the
52 Senate. Such recommendation shall include one of the following: (1)
53 Expulsion, (2) censure, (3) reprimand, or (4) no action. The full Senate
54 shall vote on any such resolution not later than ten days after the
55 committee reports out any such resolution.

56 (g) The subject of any such complaint or investigation may be
57 represented by counsel and may appear before the committee on his or
58 her own behalf.

59 (h) The committee shall adopt rules and procedures to govern its
60 proceedings. Such rules shall include, but not be limited to, standards,
61 rules and methodology for conducting such preliminary and full
62 investigation, respectively."